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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,312	12/02/2003	Tomohiro Katsube	SONYJP 3.0-349	5196
530 7590 12/24/2009 LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			EXAMINER SIKRI, ANISH	
			ART UNIT 2443	PAPER NUMBER
			MAIL DATE 12/24/2009	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

## Application No.

10/727,312

## Applicant(s)

KATSUBE ET AL.

## Examiner

ANISH SIKRI

## Art Unit

2443

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1 and 26-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 26-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/06)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

Claims 2-25 Cancelled.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

**Claims 1, 26-31** are rejected under 35 U.S.C 103(a) as being unpatentable over Carolan et al (US Pat 7058022), in view of Engberg (US Pub 2003/01588960) in further view of Fukuda (US Pub 2003/0012156).

Kazuhiro et al and Fukuda et al were cited in the previous office action.

Consider Claim 1, Carolan disclosed the an information processing system comprising: a first information processing apparatus operable to

authenticate a device (Carolan, Fig 1, Col 9 Lines 60-65, Carolan discloses RADIUS server, which can authenticate devices on the network); a second information processing apparatus operable to hold setting information required to connect the device to a network (Carolan, Fig 1, Col 9 Lines 23-25, Carolan discloses the second information processing apparatus which at the service provider as a service activation system, which can for example hold a DHCP server, and DHCP server can contain hold setting information which is required for a device to connect to the network); and a third information processing apparatus connected to the network based on the setting information (Carolan, Fig 1, Col 5 Lines 43-62, Carolan discloses a client device which is enabled to be connected to the network, as its a network device, it can hold setting information obtained by a DHCP server, or it can also act a routing device etc); the first information processing apparatus including: a first storage unit operable to store first identification information for authenticating the third information processing apparatus (Carolan, Fig 1, Col 9 Lines 60-65, Carolan discloses RADIUS server, which can authenticate devices on the network), and second identification information for identifying the third information processing apparatus (Carolan, Fig 1, Col 9 Lines 23-25, Carolan discloses the second information processing apparatus which at the service provider as a service activation system, which can for example hold a DHCP server, and DHCP server can contain hold setting information which is required for a device to connect to the network, Col 7 Lines 50-53, Carolan also discloses on how the identity of the network client device is identified by its MAC address); an authenticating unit operable to authenticate the third information processing apparatus based on the first

identification information in response to a request from the third information processing apparatus device (Carolan, Col 10, Lines 56-66, Carolan discloses on how the authenticating unit such as registration server which can be a RADIUS server 'Fig 1, 162', authenticates the a request from the network client); a generating unit operable to generate third identification information that is used to connect the third information processing apparatus to the second information processing apparatus (Carolan, Col 10, Lines 56-66, Carolan discloses on how the network client device generates and transmits identification information such as MAC address, and subscriber's credentials to the service activation system 'Fig 1, 160' or the service provider network for processing); a second storage unit operable to store the third identification information in association with the second identification information (Carolan, Fig 1, Col 10 Lines 67, Col 11 Lines 1-15, Carolan discloses on how the service provider/service activation system maintains the information received from the network client device. The data is sent from and network client device and stored in the service provider/service activation system for processing, and if it is successful, the client can move on to perform other associated functions within the network. Further support can be seen in Col 11 Lines 50-57, Carolan discloses the use of a database to store the information); a first sending unit operable to send the third identification information to the third information processing apparatus (Carolan, Fig 1, Col 9 Lines 60-65, Carolan discloses RADIUS server, which can authenticate devices on the network which is the third information processing apparatus); a first receiving unit operable to receive the third identification information from the second information

processing unit (Carolan, Fig 1, Col 9 Lines 45-64, Carolan discloses on how the RADIUS system processing the identification system obtained from the service provider/service activation system, Carolan discloses on how the DHCP/registration server can pass information of the network client to the first unit such as RADIUS Server for client authentication, prior to sending hold setting information to the network client device) and a second sending unit operable to send the second identification information to the second information processing apparatus (Carolan, Fig 1, Col 9 Lines 23-25, Carolan discloses the second information processing apparatus which at the service provider as a service activation system, which can for example hold a DHCP server, and DHCP server can contain hold setting information which is required for a device to connect to the network); the second information processing apparatus including: a third storage unit operable to store the setting information for connecting the third information processing apparatus to the network in association with the second identification information (Carolan, Fig 1, Col 10 Lines 67, Col 11 Lines 1-15, Carolan discloses on how the service provider/service activation system maintains the information received from the network client device. The data is sent from and network client device and stored in the service provider/service activation system for processing, and if it is successful, the setting information is sent to the client and then the client can move on to perform other associated functions within the network. Further support can be seen in Col 11 Lines 50-57, Carolan discloses the use of a database to store the information); a second receiving unit operable to receive the third identification information from the third information processing apparatus (Carolan, Col 10, Lines 56-

66, Carolan discloses on how the network client device generates and transmits identification information such as MAC address, and subscriber's credentials to the service activation system 'Fig 1, 160' or the service provider network for processing); a third sending unit operable to send the received third identification information to the first information processing apparatus (Carolan, Col 10, Lines 56-66, Carolan discloses on how the authenticating unit such as registration server which can be a RADIUS server 'Fig 1, 162', authenticates the a request from the network client); a third receiving unit operable to receive the second identification information from the first information processing apparatus (Carolan, Col 7 Lines 50-53, Carolan also discloses on how the identity of the network client device is identified by its MAC address); and a fourth sending unit operable to send the setting information stored in association with the received second identification information to the third information processing apparatus (Carolan, Fig 1, Col 10 Lines 67, Col 11 Lines 1-15, Carolan discloses on how the service provider/service activation system maintains the information received from the network client device. The data is sent from and network client device and stored in the service provider/service activation system for processing, and if it is successful, the setting information is sent to the client and then the client can move on to perform other associated functions within the network. Further support can be seen in Col 11 Lines 50-57, Carolan discloses the use of a database to store the information); and the third information processing apparatus including: a fourth storage unit operable to store the first identification information (Carolan, Col 5 Lines 45-50, Carolan discloses that the client device can have storage capabilities, and client does contain information related



to its identification in Col 8 Lines 24-30); a requesting unit operable to request the first information processing apparatus to authenticate the third information processing apparatus based on the first identification information stored in the fourth storage unit (Carolan, Fig 1, Col 9 Lines 45-64, Carolan discloses on how the RADIUS system processing the identification system obtained from the service provider/service activation system, Carolan discloses on how the DHCP/registration server can pass information of the network client to the first unit such as RADIUS Server for client authentication, prior to sending hold setting information to the network client device); a fourth receiving unit operable to receive the third identification information from the first information processing apparatus (Carolan, Fig 1, Col 9 Lines 45-64, the RADIUS server can obtain information from the client device, when the client is sending information regarding its authentication); a fifth sending unit operable to send the received third identification information to the second information processing apparatus (Carolan, Col 10, Lines 56-66, Carolan discloses on how the network client device generates and transmits identification information such as MAC address, and subscriber's credentials to the service activation system 'Fig 1, 160' or the service provider network for processing); and a fifth receiving unit operable to receive the setting information from the second information processing apparatus (Carolan, Fig 1, Col 9 Lines 23-25, Carolan discloses the second information processing apparatus which at the service provider as a service activation system, which can for example hold a DHCP server, and DHCP server can contain hold setting information which is required for a device to connect to the network).

Carolán does not explicitly disclose a device ID and a pass phrase; a product code and a serial number; and a one-time ID,

Nonetheless, Engberg discloses on how the device ID and pass phrase (Engberg, [0352], Engberg disclosed that the use of a challenge and response pass phrase) are used, along with the product code and serial number (Engberg, [0788], Engberg disclosed the use of private data), and the use of a one-time ID (Engberg, [0451], [0459], Engberg disclosed on how the one-time only identify is used in the network) for network connection. Engberg disclosed the one-time ID (Engberg, [0451], [0459], Engberg disclosed on the creating one-time only identity key and Engberg disclosed that the one-time identity is created with response to authentication of ID in the system). And the one time ID being generated as a result of authentication of the device (Engberg, [0939]-[0940], Engberg clearly discloses that there is authentication of a device in the system)

Both Carolán-Engberg provide features related to provide a secure management of processing system environment. Therefore one of ordinary skill in the art would have been motivated to combine the teachings since both are within the same environment.

Therefore, it would be obvious to a person skilled in the art to incorporate the use of ID, pass-phrase, product code and serial number, along with one-time ID taught Engberg, in the system of Carolán for enabling multi-tier security mechanisms to prevent unauthorized access to the networks.

But Carolan does not explicitly disclose wherein the setting information includes an Internet service provider connection ID and a password.

Nonetheless, Fukuda discloses on the setting information which includes an Internet service provider connection ID and password (Fukuda, [0023]).

Both Carolan-Fukuda provide features related to management of processing systems. Therefore one of ordinary skill in the art would have been motivated to combine the teachings since both are within the same environment.

Therefore, it would be obvious to a person skilled in the art to incorporate the storing of network setting information, taught by Fukuda to Carolan's system for creating connection to the ISP.

Consider Claims 26-28, they have similar limitations as Claim 1. They are rejected under the same rational as to claim 1.

Consider Claim 29,—Carolan-Engberg-Fukuda discloses the information processing system of claim 1, wherein the first information processing apparatus is a device authentication server (Carolan, Fig 1, Col 9 Lines 60-65, Carolan discloses RADIUS server, which can authenticate devices on the network).

Consider Claim 30, Carolan-Engberg-Fukuda discloses the information processing system of claim 1, wherein the second information processing apparatus is an ISP download server (Carolan, Fig 1, Col 9 Lines 23-25, Carolan discloses the

second information processing apparatus which at the service provider as a service activation system, which can for example hold a DHCP server, and DHCP server can contain hold setting information which is required for a device to connect to the network).

Consider Claim 31, Carolan-Engberg-Fukuda discloses the information processing system of claim 1, wherein the third information processing apparatus is a router (Carolan, Fig 1, Col 5 Lines 43-62, Carolan discloses a client device which is enabled to be connected to the network, as its a network device, it can hold setting information obtained by a DHCP server, or it can also act a routing device etc).

### ***Response to Arguments***

Applicant's arguments with respect to claims 1, 26-31 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANISH SIKRI whose telephone number is 571-270-1783. The examiner can normally be reached on 8am - 5pm Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tonia Dollinger can be reached on 571-272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Anish Sikri  
a.s.

12/16/09

/Tonia LM Dollinger/

Supervisory Patent Examiner, Art Unit 2443